## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF MISSOURI

JOSHUA WARREN	)	
	)	
PLAINTIFF	)	
	)	
VS.	)	
	)	
MOUNT ETNA PARTNERS, LLC	)	CASE NO: 3:21-cv-05091
	)	
RONALD BLACKBURN	)	
	)	
GARRETT REINCKE	)	
DEFENDANTS	)	

## MOTION FOR ENTRY OF DEFAULT AND DEFAULT JUDGMENT

COMES NOW Plaintiff, Joshua Warren, by and through his counsel of record, and pursuant to Fed. R. Civ. P. §55, moves this Court for an entry of default and for default judgment, and in support thereof, states as follows:

- 1. This action was commenced in this Court on November 11, 2021, against the Defendant Garrett Reincke ("Defendant").
- 2. Service of process was obtained on the Defendant on November 29, 2021, by personal service on Garrett Reincke, An Affidavit attesting to the Proof of Service by Nicole Padro is attached hereto as Exhibit A.
- 3. Defendant's responsive pleading was due on December 21, 2021. To date, Defendant has failed to answer or otherwise respond to the Complaint. The Court's direct entries reveal no answer, entry of appearance or other responsive pleading from Defendant.
  - 4. Under Fed. R. Civ. P. 55(a), the Clerk must enter the Defendant's default.

5. Pursuant to Fed. R. Civ. P. 55(b)(2), Plaintiff hereby moves this Court for entry of default judgment, and provide leave to the Plaintiff to provide an Affidavit and/or other evidence setting forth the dollar amount of his damages herein.

WHEREFORE, Plaintiff prays the Court enter default against Defendant Garrett Reincke, that Defendant be deemed to have admitted all allegations in the Complaint, that the Court enter a default judgment against Defendant, and for such other and further relief as this Court deems appropriate in the circumstances.

Respectfully submitted,

## **BUCHANAN & WILLIAMS, P.C.**

// s // Andrew S. Buchanan\_

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